

Serial No. 09/772,172
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applicant's reply non-responsive. If applicant is unable to convince the Examiner that all of the claimed language finds support in the original disclosure, then perhaps this question will have to be decided by the Board of Appeals.

Applicant is fully cognizant of the fact that the original disclosure in this case, including the drawings, was not professionally and artfully presented. However, as amateurish as the original drawings may be, and as non-professionally as the originally specification was presented, applicant is still entitled to claim that which was disclosed. Specifically, the original drawings comprise a top view and front view of applicant's mat. The top view shows the cover material 1 with heat-sealed edges at the two sides of the cover and the top edge thereof. Although rather inartfully presented, the interior flexible core is shown at 3, and since the front view clearly shows and describes the bottom unsealed edge of the cover as having a "rounded front edge", this fact, coupled with the three sealed edges, clearly forms a basis for the mat as more professionally shown in Figs. 1 and 2 of the newly filed drawings. Note that the "rounded front edge" language not only appears on the drawings, but also appears in the third-from-last line in paragraph [0035] in applicant's application as published. The "front view" shown in the drawings shows the rounded front edge at 5, and although the reference character 3 does not appear in the front view, this element, i.e., the interior flexible core, is obviously snugly encapsulated by the folded-over cover. Note also the language which appears in claim 1 of the original application, and particularly paragraphs (A) and (B).

Applicant also contends that the replacement drawings simply show in a more clear and professional manner what was disclosed in the original drawings and specification, and hence the replacement drawings are thought to be in proper form, and applicant sees no reason why they should be canceled.

It is also the position of applicant that where there is a disclosure of an element as being of a black color, it is permissible for applicant to claim the invention as being of a "dark color" because clearly black is a dark color.

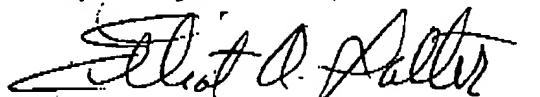
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In summarizing, applicant respectfully contends that the original drawings in this case, particularly when taken in context with the original specification, although inartfully done, do actually show the structure claimed in claim 12. The front view shows the cover material as being a thin sheet which is heat sealed along lines 2 in the top view, and the portion between the heat seal lines at opposite edges is shown in the front view as being of increased thickness, because of the core 3 which is encapsulated by the cover. It is therefore submitted that all of the language in claim 12 which the Examiner questions does find support in the original drawings and/or specification, notwithstanding the rather unprofessional form of the original drawings and specification.

If the Examiner feels that a discussion of these issues might be mutually beneficial, the Examiner is invited to contact undersigned counsel for a telephone conference. However, in the absence of any further discussion, and for the reasons hereinbefore stated, it is the position of applicant that there is proper support in the original drawings and/or specification and that the language therefore used by applicant in claim 12 does not constitute new matter. Claims 12 through 16 are accordingly thought to be allowable for the reasons presented in applicant's reply dated June 29, 2005, and hence the application is thought to be ready for issue, which action is courteously solicited.

PTO is authorized to charge any additional fees incurred as a result of the filing hereof or credit any overpayment to our account #19-0120.

Respectfully submitted,



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